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EXAMINER

SPOONER, LAMONT M

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/617,169	Applicant(s) PEARSON ET AL.	
	Examiner Lamont M. Spooner	Art Unit 2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/5/2005 has been entered.

Response to Arguments

2. Applicant's arguments filed 7/05/2005 have been fully considered but they are not persuasive.

In response to applicant's arguments, concerning claims 1 and 11, "Gibson does not overcome the deficiencies of Word Reference with respect to teaching of a translation window and a web page window that are positioned and sized to fit on one screen without overlapping. It is noted that although Gibson mentions that separate parent browsers may be generated for each frame..." and "does not suggest resizing any window created by a program associated with one web page to fit on one screen with a web page window containing a secondary web page." and "The invention of claim 1 teaches two windows that are associated with different web pages". The Examiner fails to locate wherein the two windows

are associated with different web pages, however the Examiner does note the limitation "...opening a web page window containing a secondary web page..." To that effect, Gibson's separate parent browsers inherently produce a first web page and a second or secondary web page, furthermore, Gibson teaches "concurrent viewing of separate documents" the documents interpreted as for example PDF-web pages, or a translation web page and another web page, which as explained in the previous action, are opened in conjunction to fit on one screen without over lapping . The primary web page interpreted to be included in the first parent browser, and the secondary web page in the other of the separate parent browsers. Indeed, the creation of Word Reference.Com, and combined with Gibson teaches the claimed invention as rejected.

The dependent claims remain rejected, as their parent claims are rejected, see the claim rejections below.

Regarding independent claims 18- 21, applicant states, that a translation window, and web page window are not laid out as a frames prior to either being positioned and sized. Gibson teaches C.8.lines 44-49, "the initial attributes of the windows are set by the user. For example...options menu or dialog box". Thus, the windows are not laid out as frames prior to being positioned and sized. They are positioned and sized by the user through options, and then laid out as frames, in this embodiment of Gibson.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

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art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 22 and 23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As per claims 22, 23, the Examiner is unable to locate the newly added limitations, "wherein the translation window is not opened from a frame layout" (claim 22) and "the translation window and the web page window are not initially frames" (claim 23) in the disclosure. Applicant suggests, page 7 and lines 6-19, and Figs. 3 and 4. However, in fig 4 the Examiner finds two frames, which lay out the translation window, and another web page window. How the windows were determined to have never been initially frames, is not taught in the disclosure. Furthermore, Figure 3 appears to be a frame layout, which contains web page information, and the translation window and secondary web page appear to be opened from Fig. 3, as shown in Fig. 4.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 2-4, 6, 8-13, 15-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Word Reference (Oct. 13, 1999) in view of (Gibson US Patent No. 6,313,854 filed Oct. 16, 1998).

Word Reference and Gibson are analogous art in that they both involve the use of web pages .

As per **claim 1**, Word Reference discloses a system for language translation comprising:

a translation window that is created by a program associated with a primary web page and is opened in conjunction with a web page window (WordReference drawing, WordReference.com-web page):

an input field for a user to provide information in a first language (WordReference drawing, web page);

a translator that is linked to a translation dictionary database (WordReference drawing-information is translated on-line/Internet, from a first language into a second language which inherently requires a link to a database/dictionary); and

an output field comprising information in a second language corresponding to a translation of the information in the first language (WordReference drawing, web page- "luchar").

Word Reference does not disclose:

opening a web page window containing a secondary web page wherein the translation window and the web page window are positioned and sized so that the translation window and the web page window fit on one screen without overlapping.

However, Gibson teaches opening a web page window containing a secondary web page wherein both windows are positioned and sized so that the windows fit on one screen without overlapping (Fig. 7 items 112c, 112a, C.8.lines 50, 51-"tiled", C. 9.lines 35-38, C.8.line 6-C.9.line 20, Gibson's separate parent browsers inherently produce a first web page and a second or secondary web page, furthermore, Gibson teaches "concurrent viewing of separate documents" the documents interpreted as for example PDF-web pages, or a translation web page and another web page. The primary web page interpreted to be included in the first parent browser, and the secondary web page in the other of the separate parent browsers).

Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson by having a translation window as a first parent browser which is tiled, therefore non-overlapping, to a web page window, thereby fitting on one screen without overlapping. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation and managing (Gibson C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 2**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 2 depends. Word Reference further discloses:

the translation window comprises the input field and the output field
(WordReference drawing-"English to Spanish" input field, and "luchar" output field).

As per **claim 3**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 3 depends. Word Reference further discloses:

the translation window comprises a translation direction field (WordReference drawing-“English to Spanish” field).

As per **claim 4**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 4 depends. Word Reference further discloses:

the input field accepts as information a word or a phrase in the first language (WordReference drawing-“Figure out”).

As per **claim 6**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 6 depends. Word Reference further discloses:

the input field accepts as information a single word at a time in the first language (WordReference drawing-allows pasting a word into the input field).

As per **claim 8**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 8 depends. Word Reference further discloses:

the input field accepts information via an input format from a group of input formats comprising typed input, drag-and-drop input, and right-click mouse input (WordReference drawing-accepts typed, drag-and-drop, and right-click mouse input).

As per **claim 9**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 9 depends. Word Reference does not disclose:

the secondary web page is replaced by a tertiary web page in the web page window while the translation window remains open, and wherein the web page window

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containing the tertiary web page and the translation window fit on a screen without overlapping.

However, Gibson teaches having the secondary web page is replaced by a tertiary web page in the web page window while the translation window remains open, and wherein the web page window containing the tertiary web page and the translation window fit on a screen without overlapping (C.9.lines 10-19, 36-38-either parent browser may be manipulated into a tertiary web page window while remaining tiled. Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation, one of the web pages loading a tertiary web page, and managing (Gibson C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 10**, Word Reference discloses a system for language translation on the Internet comprising:

a translation window that is created by a program associated with a primary web page and is opened in conjunction with a web page window ("WordReference" drawing, web page):

an input field for a user to provide information in a first language (WordReference drawing, web page);

a translator that is linked to a translation dictionary database (WordReference drawing-information is translated on-line/Internet, from a first language into a second language which inherently requires a link to a database/dictionary); and

an output field comprising information in a second language corresponding to a translation of the information in the first language (WordReference drawing, web page-“luchar”).

Word Reference does not disclose:

opening a web page window containing a secondary web page wherein the translation window and the web page window are positioned and sized so that the translation window and the web page window fit on one screen without overlapping.

However, Gibson teaches opening a web page window containing a secondary web page wherein both windows are positioned and sized so that the windows fit on one screen without overlapping (Fig. 7 items 112c, 112a, C.8.lines 50, 51-“tiled”, C. 9.lines 35-38, C.8.line 6-C.9.line 20, Gibson’s separate parent browsers inherently produce a first web page and a second or secondary web page, furthermore, Gibson teaches “concurrent viewing of separate documents” the documents interpreted as for example PDF-web pages, or a translation web page and another web page. The primary web page interpreted to be included in the first parent browser, and the secondary web page in the other of the separate parent browsers). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation and managing (Gibson

C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 11**, Word Reference discloses a method for language translation comprising:

providing a translation window that is generated by a program associated with a primary web page (WordReference.com drawing, web page);

receiving input information in a first language (Word Reference drawing, below "English to Spanish" field);

translating the input information from the first language to information in a second language (WordReference drawing, "fight" translated into "luchar"); and

outputting the information in the second language (WordReference drawing, "luchar").

Word Reference does not disclose:

opening the translation window in conjunction with a web page window, the web page window having a secondary web page;

adjusting the size and position of the translation window so that the translation window and the web page window fit on one user-viewable screen.

However, Gibson teaches opening a window in conjunction with a web page window (C.9.lines 36-38), the web page window having a secondary web page (see claims 1 and 10, Gibson's separate parent browsers inherently produce a first web page and a second or secondary web page, furthermore, Gibson teaches "concurrent viewing

of separate documents” the documents interpreted as for example PDF-web pages, or a translation web page and another web page. The primary web page interpreted to be included in the first parent browser, and the secondary web page in the other of the separate parent browsers);

and adjusting the size and position of the window so that the window and the web page window fit on one user-viewable screen (Fig. 7 items 112c and 112a, C.8.lines 50-55, C.8.line 6-C.9.line 20). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson. The motivation for doing so would have been to have two web pages concurrently displayed for manipulation, as in adjusting the size and position of a window, and managing (Gibson C.5.lines 10-12), thereby allowing one to view that translation web page along side a desired secondary web page, without having the view of either page obstructed by either opposite page.

As per **claim 12**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 12 depends. Word Reference further discloses:

receiving the input information from the first language and outputting the information in the second language are performed via the translation window (WordReference drawing).

As per **claim 13**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 13 depends. Word Reference further discloses:

providing a translation direction field (WordReference drawing, “English to Spanish”).

As per **claim 15**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 15 depends. Word Reference further discloses:

accepting input information from a group of input formats comprising typed input, drag-and-drop input, and right-click mouse input (WordReference drawing, accepts typed, drag-and-drop input and right click mouse input).

As per **claim 16**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 16 depends. Word Reference does not disclose:

maintaining the web page window with any web page hosted on the Internet.

However, Gibson teaches maintaining the web page window with any web page hosted on the Internet (C.7.lines 25-27, C.9.lines 10-20, 36-38). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to combine WordReference with Gibson. The motivation for doing so would have been to have a web page concurrently displayed for manipulation in conjunction with any web page on the Internet, thereby allowing one to view that translation web page along side a desired secondary web page.

As per **claim 17**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 17 depends. Word Reference further discloses:

executing the program associated with the primary web page to translate input information (WordReference drawing-accepts information from any web page hosted on the Internet.

As per **claims 18 and 19**, claim 18 sets forth limitations similar to claim 1, and is thus rejected for the same reasons. Claim 18 sets for the additional limitation, wherein

the translation window is not laid out as a frame prior to the translation window being positioned and sized, which Gibson further teaches (Gibson teaches C.8.lines 44-49, "the initial attributes of the windows are set by the user. For example... options menu or dialog box". Thus, the windows (including translation and web page window-claim 19) are not laid out as frames prior to being positioned and sized. They are positioned and sized by the user through options, and then laid out as frames, in this embodiment of Gibson).

As per **claims 20 and 21**, claim 10 sets forth limitations similar to claim 10, and is thus rejected for the same reasons. Claim 20 sets for the additional limitation, wherein the translation window is not laid out as a frame prior to the translation window being positioned and sized, which Gibson further teaches (Gibson teaches C.8.lines 44-49, "the initial attributes of the windows are set by the user. For example... options menu or dialog box". Thus, the windows (including translation and web page window-claim 21) are not laid out as frames prior to being positioned and sized. They are positioned and sized by the user through options, and then laid out as frames, in this embodiment of Gibson).

As per **claim 22**, claim 22 sets forth limitations similar to claim 1 and is thus rejected for the same reasons. Word Reference further teaches, the translation window is not opened from a frame layout (Word Reference-wherein the URL opens the translation window, "[http://www.wordreference.com/...](http://www.wordreference.com/)"). Furthermore, the Examiner takes official notice that having a window not opened from a frame layout was well known in the art at the time of the invention, (for example-a link, icon or software

program that opens a window). Therefore, at the time of the invention, it would have been obvious to modify Gibson with Word Reference by having a link to the translation window. The motivation for doing so would have been to generate the translation window from a remote location, icon or link.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Word Reference in view of Gibson, and further in view of Park et al. (US Patent number 6,064,951 filed January 12, 1998).

Word Reference, Gibson and Park et al. are analogous art because they are in the computer information display field.

As per **claim 5**, Word Reference and Gibson disclose all the limitations of claim 1, upon which claim 5 depends.

Word Reference in view of Gibson does not disclose:

the input field accepts as information one to five words at a time.

However, Park et al. discloses the input field accepts as information one to five words at a time (Fig. 7 Col.7.lines 15, 16). Therefore it would have been obvious to a person ordinarily skilled in the art to combine Word Reference and Gibson with Park et al. The motivation for combining the method of input of information to the translation window is to have accurate and easier methods of data input.

8. **Claims 7 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Word Reference in view of Gibson, and further in view of "Welcome to the new R-O-Matic Italian/English Dictionary." (May 13, 1998).

Word Reference, Gibson and R-O-Matic Italian/English Dictionary are analogous art because they are in the computer information display field.

As per **claim 7**, Word Reference and Gibson disclose all of the limitations of claim 1, upon which claim 7 depends.

Word Reference in view of Gibson does not disclose:
the translator accepts a search modifier from a group of search modifiers comprising exact match, contains, and starts with.

However, "Welcome to the new R-O-Matic Italian/English Dictionary" demonstrates the choice of a search modifier from a group of search modifiers comprising of "exact match," "contains," and "starts with." Therefore it would have been obvious to a person ordinarily skilled in the art to combine Word Reference and Gibson with "Welcome to the new R-O-Matic Italian/English Dictionary." The motivation for using the search modifier is to broaden the chance of finding the desired translation.

As per **claim 14**, Word Reference and Gibson disclose all of the limitations of claim 11, upon which claim 14 depends.

Word Reference in view of Gibson does not disclose:
accepting a search modifier from a group of search modifiers comprising an exact match, contains, and starts with.

However, "Welcome to the new R-O-Matic Italian/English Dictionary" demonstrates the choice of a search modifier from a group of search modifiers comprising of "exact match," "contains," and "starts with." Therefore it would have been obvious to a person ordinarily skilled in the art to combine Word Reference and Gibson

with "Welcome to the new R-O-Matic Italian/English Dictionary." The motivation for using the search modifier is to broaden the chance of finding the desired translation.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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